IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WA.No. 812 of 2007

AGAINST THE JUDGEMENT IN W.P.(C).NO.30780/2006 DATED 23/02/2007.
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APPELLANTS/PETITIONERS:
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1. **C.J.MATHEWS, S/O C.M.JOSEPH, AGED 37 YEARS, CHATHETTIL HOUSE, NOOROMMAVU, ANICADU, MALLAPPALLY, PATHANAMTHITTA DISTRICT, REP. BY HIS POWER OF ATTORNEY HOLDER ELEYAMMA JOSEPH, W/O C.M.JOSEPH,AGED 63 YEARS, CHATHETTIL HOUSE, NOOROMMAVU, ANICADU, MALLAPPALLY, PATHANAMTHITTA DISTRICT.**

2. **ELEYAMMA JOSEPH, W/O C.M.JOSEPH, AGED 63 YEARS, CHATHETTIL HOUSE, NOOROMMAVU, ANICADU, MALLAPPALLY, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.PHILIP MATHEW.

RESPONDENTS/RESPONDENTS:
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1. **ADDITIONAL DISTRICT MAGISTRATE, PATHANAMTHITTA.**

2. **ASSISTANT EXECUTIVE ENGINEER, ELECTRICAL SUB DIVISION, KSEB, MALLAPPALLY, PATHANAMTHITTA.**

3. **MR.SAMUEL, CHETHETTIL HOUSE, NOOROMMAVU, ANICADU, MALLAPPALLY, PATHANAMTHITTA DISTRICT.**

W.A. NO. 812/2007:

4. M.K.RAGHAVAN, KARIKAMURI PUTHANVEEDU,
NOOROMMAVU, ANICADU, MALLAPPALLY,
PATHANAMTHITTA DISTRICT.

5. KRISHNAPILLA, PUTHANPURAKEL HOUSE,
NOOROMMAVU, ANICADU, MALLAPPALLY,
PATHANAMTHITTA DISTRICT.

6. SUKUMARAN NAIR, PUTHANPURAKEL HOUSE,
NOOROMMAVU, ANICADU, MALLAPPALLY,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI. K.S. ANIL, SC, KSEB,
SR. GOVT. PLEADER SMT. K. MEERA.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 28/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN, AG.C.J. & M.N. KRISHNAN,J.

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W.A. NO. 812 OF 2007

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Dated this the 28th day of March, 2007.

J U D G M E N T

Radhakrishnan, Ag.C.J.

This appeal is preferred against the judgment of this Court in W.P.C.30780/06. We do not find any necessity to interfere with the finding of the learned Single Judge. Counsel for the appellant/petitioner submits that appellant was not heard by the Additional District Magistrate before passing the impugned order. But, he would state that his father was heard in the proceedings before the Court below and in our view it would amount to sufficient compliance. Therefore, the appeal lacks merit and it is dismissed.

SD/-

K.S. RADHAKRISHNAN,

ACTING CHIEF JUSTICE.

SD/-

M.N. KRISHNAN, JUDGE.

ul/-

[True copy]

P.A. to Judge.